

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF MAINE**

In re:

Michael Newey,

Debtor

Chapter 13

Case No. 25-10012

ORDER DENYING MOTION TO DISMISS

The chapter 13 trustee has moved to dismiss this case under 11 U.S.C. § 1307(c) citing as cause the debtor's failure to commence making timely plan payments and unreasonable delay by debtor that is prejudicial to creditors. [Dkt. No. 18]. Although the trustee has established cause under § 1307(c), the Court is not required to dismiss when cause is established. Instead, the Court may do so. In the circumstances of this case, the Court will permit the debtor to remain in chapter 13 and try once more to obtain confirmation of a plan of reorganization. That said, if the next effort falls as woefully short as the first did, then dismissal for unreasonable delay by the debtor may very well ensue.

Dated: April 9, 2025



Michael A. Fagone
United States Bankruptcy Judge
District of Maine